



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

Board Members

Andrew Kunasek, District 3, Chairman
Max Wilson, District 4, Vice Chairman
Fulton Brock, District 1
Don Stapley, District 2
Mary Rose Wilcox, District 5

County Manager

David Smith

Clerk of the Board

Fran McCarroll

Meeting Location

BOS Auditorium
205 W Jefferson
Phoenix, AZ

FORMAL MEETING AGENDA

BOARD OF SUPERVISORS Maricopa County, Arizona

(and the Boards of Directors of the Flood Control District, Library District,
Stadium District, Improvement Districts and/or Board of Deposit)

**Tuesday, November 18, 2008
9:00 AM**

Agendas are available at least 24 hours prior to each meeting in the Office of the Clerk of the Board, 301 West Jefferson, Tenth Floor, Phoenix, Arizona, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. and on the internet at http://www.maricopa.gov/Clk_board/Agendas.aspx. One or more Board members may attend telephonically. Board members attending telephonically will be announced at the meeting. The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3). Accommodations for individuals with disabilities, including alternative format materials, sign language interpretation, and assistive listening devices are available upon 72 hours' advance notice through the Office of the Clerk of the Board, 301 West Jefferson Avenue, Tenth Floor, Phoenix, Arizona 85003, (602) 506-3766, Fax (602) 506-6402, TTY (602) 506-2000. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request.

See the Clerk and fill out a speaker's form if you would like to address the Board regarding any matter on the agenda.

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The Maricopa County Clerk's Office presents this summarized information as a service to the public. The Clerk does not guarantee the accuracy of the data or information presented and expressly disclaims any responsibility for errors or damages resulting from the use of the information contained herein. The approved meeting minutes of the Board of Supervisors are the official publication of all legal actions taken by the Board.

GREEN – APPROVED / RED – DENIED / BLUE – CONTINUED
GOLD – WITHDRAWN / BROWN – NO ACTION

1. **INVOCATION – NO ACTION**
2. **PLEDGE OF ALLEGIANCE – NO ACTION**
3. **ROLL CALL – NO ACTION**

BOARD OF SUPERVISORS

4. **Pet Showcase by Maricopa County Animal Care and Control. – NO ACTION**

PRESENTATIONS

5. **STORMREADY AWARD – NO ACTION**

Presentation regarding the award for Maricopa County for being StormReady. At the conclusion of the presentation, accept award from Kenneth Waters of the National Weather Service for recognizing Maricopa County as being "StormReady". (C-15-09-010-P-00)
Kenneth Waters, Warning Coordination Meteorologist
Warren Leek, Director

6. **PRESENTATION AND DONATION FROM FRIENDS OF ANIMAL CARE & CONTROL FOR SPAY/NEUTER VOUCHER PROGRAM – APPROVED**

Presentation and accept the restricted monetary donation from Friends of Animal Care & Control (FACC's) of Phoenix, AZ to fund the Maricopa County Spay/Neuter Voucher Program in the amount of \$241,246 and the Foster Program in the amount of \$11,665.98. The total donation received was in the amount of \$252,911.98. Also, recognize the benefits provided by the Maricopa County Spay/Neuter Voucher Program. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-040-P-00)

Dr. Rodrigo Silva, Assistant County Manager

STATUTORY HEARINGS

Clerk of the Board

7. LIQUOR LICENSE APPLICATIONS

Pursuant to A.R.S. §4-201, this is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

a. NEW SERIES LIQUOR LICENSE FOR SUPER MERCADO Y CARNICERIA NAMIQUIPA – APPROVED

Pursuant to A.R.S. 4-201, approve an application filed by Theresa June Morse for a New Series 10 Liquor License for Super Mercado Y Carniceria Namiquipa, at 3449 W. Southern Avenue, Phoenix, AZ 85041. AZ#10075691, MCLL#6278. (C-06-09-158-L-00)

b. SPECIAL EVENT LIQUOR LICENSE FOR OUR LADY OF LOURDES – APPROVED

Pursuant to A.R.S. §4-201, approve a Special Event Liquor License application filed by Shirley A. McGarrigle for Our Lady of Lourdes Women's Guild, 14818 West Deer Valley Drive, Sun City West, AZ 85375 for December 31, 2008, from 5:00 to 11:00 p.m. MCLL #861. (C-06-09-166-L-00)

c. LIQUOR LICENSE TEMPORARY EXTENSION OF PREMISES FOR GAVILAN PEAK SPORTS BAR & GRILL – DENIED

Pursuant to A.R.S. §4-201, approve an application filed by Michael R.Thomas for a Temporary Extension of Premises for the Gavilan Peak Sports Bar & Grill, 46639 N. Black Canyon Hwy, New River, AZ 85087, on November 22, 2008. (AZLL#06070112) (MCLL #A-664-104) (C-06-09-165-L-00)
Planning and Development does not recommend approval.

d. SPECIAL EVENT LIQUOR LICENSE FOR THE KNIGHTS OF COLUMBUS – APPROVED

Pursuant to A.R.S. §4-201, approve a Special Event Liquor License application filed by Michael F. Chabak for the Knights of Columbus at 14818 W. Deer Valley Drive, Sun City West, AZ 85375 on November 25, 2008, from 5:00 to 9:00 p.m. MCSELL #862. (C-06-09-167-L-00)

e. SPECIAL EVENT LIQUOR LICENSE FOR ST. ELIZABETH SETON – APPROVED

Pursuant to ARS §4-201, approve a Special Event Liquor License Application for Richard F. McManus, St. Elizabeth Seton Church, 9728 Palmeras Drive, Sun City AZ 85373, on November 22, 2008, from 4:30 p.m. to 11:00 p.m. SELL #863 (C-06-09-180-L-00)

8. FORMATION OF THE PROPOSED CHANDLER COUNTY ISLAND FIRE DISTRICT – APPROVED

Pursuant to A.R.S. § 48-851, convene a public hearing on the petition for the proposed

Chandler County Island Fire District located in the City of Chandler municipal planning area. If the petitions are determined to be valid, the Board shall order the formation of the district and enter its order in the minutes. The order will include the appointment of the following three members of the organizing board of directors of the district as set forth in the petition: Jack A. Rassi, Edward R. Hurley, Ruth Coleman.

The order of the Board shall be final and the district will be formed thirty days from the date of the Board's vote. (Supervisory District 1) (C-06-09-160-7-01)

AGENCY ITEMS AND STATUTORY MATTERS

COUNTY OFFICERS

County Attorney

9. APPEAL IN GRAVES V. ARPAIO CV-77-0479-PHX-NVW – APPROVED

Approve the filing of Notices of Appeal in Graves v. Arpaio CV-77-0479-PHX-NVW. This item was discussed in Executive Session on October 31, 2008. (C-19-09-036-M-00)

Sheriff

10. AGREEMENT WITH SALT RIVER PROJECT (SRP) AGRICULTURAL IMPROVEMENT & POWER DISTRICT FOR REIMBURSEMENT OF DAM ENHANCEMENTS – APPROVED

Approve the Agreement between the Salt River Project (SRP) Agricultural Improvement & Power District and Maricopa County on behalf of the Maricopa County Sheriff's Office (MCSO) to allow reimbursement of up to \$107,000 from Arizona Homeland Security grant funding for the Buffer Zone Protection Program. The reimbursement period is July 1, 2007 through December 31, 2008. These expenses were funded in the FY 2008-09 Sheriff's Office grant fund appropriation.

This funding is from the Arizona Department of Homeland Security, Subgrantee Agreement 07-AZDOHS-HSGP-222207-08 approved by the Board of Supervisors on February 20, 2008 (C-50-08-550-3). The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%. Because the Salt River Project (SRP) Agricultural Improvement & Power District is a subrecipient of Sheriff's Office grant funds, the indirect cost amount of \$13,054 is not applicable. (C-50-08-550-3-01)

11. RESOLUTION TO THE ARIZONA STATE PARKS BOARD TO APPLY FOR LAW ENFORCEMENT AND BOATING SAFETY FUNDS – APPROVED

Adopt a Resolution to the Arizona State Parks Board and, if awarded, approve acceptance of a grant for Law Enforcement and Boating Safety Funds not-to-exceed \$425,000. This grant funds 50% of the salaries and benefits for up to 10 existing deputy sheriff positions that provide boating law enforcement on the county lakes and rivers. The Sheriff's Office has received Law Enforcement and Boating Safety Funds for approximately sixteen years. A 50% soft match requirement is met by funding the balance of these existing positions in the General Fund (100). The estimated award period is July 1, 2009 through June 30, 2010.

The Sheriff's Office FY 2008-09 indirect costs rate is 12.2%. These grant funds are the result of A.R.S. §5-383 and indirect cost recovery is not allowed. The unrecoverable indirect

costs associated with this grant are estimated to be \$51,850. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of these revenues is not prohibited by the law. An amount for this funding will be included in the FY 2009-2010 grant budget submission. (C-50-09-032-G-00)

12. AGREEMENT AND ACCEPTANCE OF HOMELAND SECURITY, URBAN AREA SECURITY INITIATIVE GRANT FUNDS FOR TACTICAL RESPONSE TEAMS – APPROVED

Approve an Agreement between the Arizona Department of Homeland Security (AZDOHS) and Maricopa County on behalf of the Sheriff, for the 2008 Homeland Security Grant Program Award, number 444817-02 and acceptance of up to \$58,334 in grant funding for the Phoenix Tactical Response Teams, funded under the Urban Area Security Initiative. The term of this award is October 1, 2008 through September 30, 2009. The corresponding application was filed under agenda C-50-07-541-3-ZZ, Section A., approved on March 21, 2007. Also approve an increase to the Sheriff's Office (500) grant fund (251) non-recurring (0001) revenue and expenditure appropriations for FY 2009 not-to-exceed \$58,334. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%. Unrecoverable indirect costs associated with this Agreement are estimated to be \$7,116.75. (C-50-09-036-G-00)

13. AGREEMENT AND ACCEPTANCE OF HOMELAND SECURITY, URBAN AREA SECURITY INITIATIVE GRANT FUNDS FOR TARGET HARDENING – APPROVED

Approve an Agreement between the Arizona Department of Homeland Security (AZDOHS) and Maricopa County on behalf of the Sheriff, for the 2008 Homeland Security Grant Program Award, number 444817-03 and acceptance of up to \$200,000 in grant funding for the Threat and Vulnerability Assessment/Target Hardening, funded under the Urban Area Security Initiative. The term of this award is October 1, 2008 through September 30, 2009. The corresponding application was filed under BOS agenda C-50-07-541-3-ZZ, Section A., approved on March 21, 2007. Also approve an increase to the Sheriff's Office (500) grant fund (251) non-recurring (0001) revenue and expenditure appropriations for FY 2009 not-to-exceed \$200,000. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%. Unrecoverable indirect costs associated with this Agreement are estimated to be \$4,209. There will be capital purchases associated with this grant which are not included in the indirect cost calculation. (C-50-09-037-G-00)

14. AGREEMENT AND ACCEPTANCE OF HOMELAND SECURITY, URBAN AREA SECURITY INITIATIVE GRANT FUNDS FOR TERRORISM LIAISON OFFICERS – APPROVED

Approve an Agreement between the Arizona Department of Homeland Security (AZDOHS) and Maricopa County on behalf of the Sheriff, for the 2008 Homeland Security Grant Program Award, number 444817-04 and acceptance of up to \$16,000 in grant funding for the Urban Area Assessment Teams-Terrorism Liaison Officers, funded under the Urban

Area Security Initiative. The term of this award is October 1, 2008 through September 30, 2009. The corresponding application was filed under BOS agenda C-50-07-541-3-ZZ, Section A., approved on March 21, 2007. Also approve an increase to the Sheriff's Office (500) grant fund (251) recurring (0000) revenue and expenditure appropriations for FY 2008-09 not-to-exceed \$16,000. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%. Unrecoverable indirect costs associated with this Agreement are estimated to be \$1,952. (C-50-09-038-G-00)

15. AGREEMENT AND ACCEPTANCE OF HOMELAND SECURITY, URBAN AREA SECURITY INITIATIVE GRANT FUNDS FOR RAPID RESPONSE SUSTAINMENT 1 OF 3 – APPROVED

Approve an Agreement between the Arizona Department of Homeland Security (AZDOHS) and Maricopa County on behalf of the Sheriff, for the 2008 Homeland Security Grant Program Award, number 444817-05 and acceptance of up to \$58,618 in grant funding for the Maricopa County Sheriff's Office (MCSO) Rapid Response Team (RRT) Sustainment, funded under the Urban Area Security Initiative. The term of this award is October 1, 2008 through September 30, 2009. The corresponding application was filed under BOS agenda C-50-07-541-3-ZZ, Section A., approved on March 21, 2007. Also approve an increase to the Sheriff's Office (500) grant fund (251) non-recurring (0001) revenue and expenditure appropriations for FY 2009 not-to-exceed \$58,618. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%. Unrecoverable indirect costs associated with this Agreement are estimated to be \$7,151.40. (C-50-09-039-G-00)

16. DONATION – APPROVED

Accept the donation of \$250 from **Best Materials, LLC** in the month of October to the Sheriff's Office. (C-50-09-040-D-00)

17. AGREEMENT AND ACCEPTANCE OF HOMELAND SECURITY, URBAN AREA SECURITY INITIATIVE GRANT FUNDS FOR RAPID RESPONSE TEAM - SEARCH & RESCUE EQUIPMENT 2 OF 3 – APPROVED

Approve an Agreement between the Arizona Department of Homeland Security (AZDOHS) and Maricopa County on behalf of the Sheriff, for the 2008 Homeland Security Grant Program Award, number 444817-06 and acceptance of up to \$39,598 in grant funding for the Maricopa County Sheriff's Office (MCSO) Rapid Response Team (RRT) Sustainment, funded under the Urban Area Security Initiative. The term of this award is October 1, 2008 through September 30, 2009. The corresponding application was filed under agenda C-50-07-541-3-ZZ, Section A., approved on March 21, 2007. Also approve an increase to the Sheriff's Office (500) grant fund (251) non-recurring (0001) revenue and expenditure appropriations for FY 2009 not-to-exceed \$39,598. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%. Unrecoverable indirect costs associated with this Agreement are estimated to be \$1,585.76. There will be capital purchases associated with this grant which are not included in the indirect cost calculation. (C-50-09-041-G-00)

18. AGREEMENT AND ACCEPTANCE OF HOMELAND SECURITY, URBAN AREA SECURITY INITIATIVE GRANT FUNDS FOR THE RAPID RESPONSE TEAM SUSTAINMENT 3 OF 3 - COMMUNICATIONS – APPROVED

Approve an Agreement between the Arizona Department of Homeland Security (AZDOHS) and the Maricopa County Sheriff's Office, for the 2008 Homeland Security Grant Program Award, number 444817-07 and acceptance of up to \$36,784 in grant funding for the Maricopa County Sheriff's Office (MCSO) Rapid Response Team (RRT) Sustainment, funded under the Urban Area Security Initiative. The term of this award is October 1, 2008 through September 30, 2009. The corresponding application was filed under agenda C-50-07-541-3-ZZ, Section A., approved on March 21, 2007. Also approve an increase to the Sheriff's Office (500) grant fund (251) non-recurring (0001) revenue and expenditure appropriations for FY 2009 not-to-exceed \$36,784. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%. Unrecoverable indirect costs associated with this Agreement are estimated to be \$4,487.65. (C-50-09-042-G-00)

Treasurer

19. TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT SUMMARY REPORT – APPROVED

Pursuant to A.R.S. §11-501, receive the Treasurer's Statement of Collections and Investment Summary report for September 2008, as on file in the Clerk of the Board's office and retained in accordance with Arizona State Library Archives and Public Records (ASLAPR) approved retention schedule. (ADM4006) (C-43-09-010-7-00)

TRIAL COURTS

Justice Courts

20. EXCEPTION TO TECHNOLOGY FINANCE PROGRAM FOR PURCHASE OF JUSTICE COURTS COMPUTERS – APPROVED AS AMENDED

Approve an exception to the Technology Finance Program (TFP) to allow the Justice Courts to proceed with the purchase of computer equipment through a one-time expenditure from fund balance in the Justice Courts Special Revenue Fund (245). The estimated cost of the computer equipment is \$340,000. In addition, per A.R.S. 42-17106, transfer FY 2008-09 expenditure appropriation of \$340,000 from the Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) Potential Expenditures from Fund Balance line to Justice Courts (240) Justice Courts Special Revenue Fund (245) Non-Recurring (0001). Also, reduce the FY 2008-09 Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) revenue appropriation by \$340,000. Approval of this action will

support Justice Courts department-wide replacement of obsolete computer equipment.

This authorization is required to complete the one-time purchase of the computer equipment from the Justice Courts Special Revenue Fund (245). This computer equipment will not be a part of the Technology Finance Program (TFP), with no automatic replacement from the General Fund (100) at the end of its useful life. At the end of their useful life, the new computers will be replaced through the TFP in the Justice Courts Special Revenue Fund (245). (C-24-09-004-M-00)

Superior Court Judges and Commissioners

21. FILL THE GAP PLAN – APPROVED

In accordance with the provisions of A.R.S. 12-102.02(C), authorize the Chairman of the Board to endorse and sign the FILL THE GAP plan submitted by the Presiding Judge of the Superior Court. In accordance with the statute, the plan has already been endorsed by the Presiding Judge, the Clerk of the Superior Court, and the Presiding Justice of the Peace in Maricopa County.

Pursuant to Arizona Revised Statutes 12-102.02 the presiding judge, in coordination with the Chairman of the Board of Supervisors, the Clerk of the Superior Court, and the Presiding Justice of the Peace in Maricopa County are to submit a plan to the supreme court that details how the funding provided from the State Aid to the Courts fund for the Maricopa County FILL THE GAP plan will assist in improving criminal case processing. (C-80-09-002-2-00)

COUNTY MANAGER

Communications

22. EVENTS CENTER SETTLEMENT AGREEMENT – APPROVED

Approve the Settlement Agreement between Maricopa County and Nederlander-Downtown concerning operation of the Maricopa County Events Center as was discussed in Executive Session on September 15, 2008. (C-71-09-001-S-00)

DEPUTY COUNTY MANAGER

Management and Budget

23. EXECUTIVE COMPENSATION PACKAGE – APPROVED

Due to an oversight in December 2007, authorize an administrative action to approve an Executive Compensation Package (ECP) for David R. Smith, Maricopa County Manager, to give him a one-time lump sum contribution of \$20,500 to an existing 457 Deferred Compensation or other authorized plan and a one-time lump sum contribution of \$3,500 to an existing 401(A) program effective July 2, 2007. (This item discussed in Executive Session on December 3, 2007.) (C-49-09-030-M-00)

24. ADMINISTRATIVE CORRECTIONS TO AGENDA ITEMS – APPROVED

Approve technical corrections to clarify the Function associated with the appropriated budget

adjustments previously approved by the Board of Supervisors in the listed agenda items. This correction does not change the direction or intent of the previous actions. For the following items, the affected Function in the appropriated budget adjustment is Operating (0000): (C-19-09-001-G-00) (C-19-09-002-G-00) (C-19-09-003-G-00) (C-19-09-004-G-00) (C-19-09-005-G-00) (C-19-09-006-G-00) (C-19-09-007-G-00) (C-19-09-008-G-00) (C-19-09-009-G-00) (C-19-09-010-G-00) (C-19-09-011-G-00) (C-20-09-001-G-00) (C-20-09-002-G-00) (C-22-09-094-G-00) (C-22-09-095-G-00) (C-50-07-500-M-02) (C-50-07-560-3-01) (C-50-08-005-2-01) (C-50-09-003-M-00) (C-50-09-004-G-00) (C-79-09-003-3-00) (C-79-09-004-3-00) (C-86-03-159-2-09) (C-86-05-024-2-06) (C-86-08-001-3-05) (C-86-08-025-2-02) (C-86-08-027-2-01) (C-86-08-085-2-00) (C-86-09-009-G-00) (C-86-09-015-G-00)

For the following items, the affected Function in the appropriated budget adjustment is Non-Recurring Non-Project (0001): (C-20-08-054-3-00) (C-20-08-060-3-00) (C-20-08-061-3-00) (C-20-08-062-3-00) (C-20-08-063-3-00) (C-20-08-065-3-00) (C-20-08-066-3-00) (C-20-08-067-3-00) (C-20-08-070-3-00) (C-20-08-071-3-00) (C-20-08-072-3-00) (C-20-09-003-G-00) (C-20-08-004-G-00) (C-20-09-005-G-00) (C-20-09-006-G-00) (C-20-09-008-G-00) (C-20-09-009-G-00) (C-30-08-032-3-00) (C-30-08-033-3-00) (C-42-08-022-0-00) (C-42-09-002-D-00) (C-42-08-023-D-00) (C-49-09-002-D-00) (C-64-08-209-M-00) (C-64-08-228-3-01) (C-67-08-003-M-00) (C-67-08-004-M-00) (C-68-09-001-3-00) (C-91-09-014-G-00)

Starting in FY 2008-09, all budgets are appropriated by Function, as well as by Department and Fund. Previously, the Function had only been applied to project budget appropriations, but is now also used to distinguish the operating vs. non-recurring portions of appropriated budgets. This change allows for improved review and monitoring of structural balance throughout the budget (operating revenues vs. operating expenditures. The agenda items listed above were submitted early in the fiscal year, and the necessary Function was omitted from the motion in each case. Today's action corrects the previously approved agenda items. (C-49-09-031-M-00)

Public Health

25. AMENDMENT TO IGA WITH ADHS FOR STD SERVICES – APPROVED

Approve Amendment No. 1 to the Intergovernmental Agreement (IGA) No. HG854321 between Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health to provide STD Services. Amendment No. 1 extends the contract through December 31, 2009. This amendment also makes administrative changes to the SPECIAL TERMS AND CONDITIONS. (C-86-08-064-2-02)

26. AMENDMENT TO IGA WITH TOLLESON ELEMENTARY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) with the Tolleson Elementary School District to extend the term of the IGA from May 2, 2008 through May 1, 2009 and increase the contract by \$3,000 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$11,000 for the term December 1, 2006 through May 1, 2009. (C-86-07-491-2-02)

27. AMENDMENT TO IGA WITH PEORIA UNIFIED SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED

Approve Amendment No. 3 to Intergovernmental Agreement (IGA) with the Peoria Unified

School District to extend the term of the IGA from May 2, 2008 through May 1, 2009 and increase the contract by \$18,000 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$124,000 for the term July 1, 2006 through May 1, 2009. (C-86-07-450-2-03)

28. AGREEMENT WITH CITY OF PHOENIX FOR USE OF FACILITIES – APPROVED

Approve the Agreement for the Use of Facilities between City of Phoenix and Maricopa County through its Department of Public Health's Emergency Management Program (PHEM) to collaborate with the City of Phoenix for the use of Sky Harbor Airport in the event of a public health emergency. The term of this non- financial agreement shall begin upon Board approval and shall be in effect until terminated by either party with a 30 day written notice. (C-86-09-033-3-00)

29. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR PRENATAL BLOCK GRANT SERVICES – APPROVED

Approve Amendment No. 1 to the Intergovernmental Agreement (IGA) No. HG861386 between Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health to provide Prenatal Block Grant services. Amendment No. 1 reduces the budget by \$27,202 from \$272,024 to \$244,822 for budget period July 1, 2008 through June 30, 2009. This amendment also makes administrative changes to the SPECIAL TERMS AND CONDITIONS. The Department of Public Health's indirect rate for FY 2008-09 is 18%. Indirect costs are estimated at \$37,346 and are fully recoverable. Also, approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532, Function 0000) associated with the aforementioned grant in an amount of (\$27,202) for FY 2008-09. The FY2008-09 adopted budget included an estimated amount for this grant in the amount of \$272,024. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

Funding for this contract is provided by Arizona Department of Health Services and does not increase the County general fund. (C-86-08-066-2-01)

30. GRANT AWARD FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES HEALTH RESOURCES AND SERVICES ADMINISTRATION FOR HEALTHCARE FOR THE HOMELESS PROGRAM – APPROVED

Approve the Notice of Grant Award (H80CS00044) from the U.S. Department of Health and Human Services Health Resources and Services Administration (HRSA) to Maricopa County through its Department of Public Health, Healthcare for the Homeless (HCH) Program to provide healthcare for homeless individuals. This grant award provides funds in the amount of \$1,323,711 for budget period November 1, 2008 through October 31, 2009. The amount of \$1,323,711 includes estimated program income in the amount of \$134,700. The Department of Public Health's indirect rate for FY 2008-09 is 18%. This grant allows for indirect reimbursement at a rate of 15.397%. Total indirect expenses are estimated to be \$ 196,122 of which \$ 167,761 is recoverable and \$28,361 is not recoverable. Sub-recipient expenses in the amount of \$66,381 are not subject to indirect charges. Also, approve a revenue and expenditure appropriation adjustment to the Public Health (860) Grant Fund (532) Operating Budget (0000) associated with the aforementioned grant in an amount of (\$428,641) for FY2008-09. The FY2008-09 adopted budget included an estimated amount for this grant of \$1,752,352. Grant revenues are not local revenues for the purpose of the

constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The adopted budgeted amount for this grant for FY 2008-09 is \$1,752,352. This grant award represents 50% of the federal recommended support in the amount of \$2,378,023, subject to funding availability and satisfactory progress of the project. Funding for this contract is provided by a grant from HRSA, and will not affect the County general fund. (C-86-02-073-2-17)

31. IGA WITH STATE OF ARIZONA FOR THE SAFE ROUTES TO SCHOOL PROGRAM – APPROVED

Approve the Intergovernmental Agreement (IGA) (JPA 09-002M) between State of Arizona by and through its Department of Transportation, Multimodal Planning Division and Maricopa County by and through its Department of Public Health for the Safe Routes to School Program. This IGA provides funding in the amount of \$43,958 and shall become effective upon filing with the Secretary of State and shall remain in force and effect for 24 months from the date of execution. Although the grantor is allowing the budget spread up to 24 months, the program's intention is to spend the entire funding in FY 2008-09. Also, approve revenue and expenditure appropriation adjustments to the Department of Public Health (860) Grant Fund (532) Operating Budget (0000) associated with the aforementioned grant in an amount of \$43,958 for FY2008-09. The appropriations adjustment is necessary because these funds were not included in the FY 2008-09 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. The Department of Public Health's indirect rate for FY 2008-09 is 18%. The grant allows for full indirect; therefore, indirect costs are estimated at \$6,705 and are fully recoverable.

Funds for this grant are from Arizona Department of Transportation and do not affect the County general fund. (C-86-09-035-3-00)

ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION

Animal Care & Control Services

32. RESOLUTION FOR VOLUNTEER PROGRAM – APPROVED

Approve by Resolution the Maricopa County Animal Care and Control (MCACC) Volunteer Program. Also, approve extending Self Insured Trust worker's compensation insurance coverage for the volunteers in the Maricopa County Animal Care and Control (MCACC) Volunteer Program to be effective upon Board approval. The County Self Insured Trust Declaration (section I.G.7), defines an "employee" covered by the Trust to include volunteers under the direction and control of County Employees if the program is authorized by Board of Supervisor resolution.
(C-79-09-038-7-00)

33. DONATIONS – APPROVED

Accept the monetary donations from **Early Warning Services, LLC** of Scottsdale, AZ in the

amount of \$500, **PETCO Foundation** of San Diego, CA in the amount of \$913, and from **Jeffery Varrica** of Mesa, AZ in the amount of \$300 for the care of the animals. Donations total \$1,713. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-039-D-00)

Community Development

34. RESOLUTION RELATED TO INTERGOVERNMENTAL AGREEMENT WITH WESTERN MARICOPA ENTERPRISE ZONE – APPROVED

Approve a Resolution related to the previously approved Intergovernmental Agreement between Western Maricopa Enterprise Zone and Maricopa County through the Community Development Department, for the purpose of continuing the Western Maricopa Enterprise Zone (WMEZ). The Intergovernmental Agreement is non-financial and is effective from the date of execution until five years after date of execution. The Western Maricopa Enterprise Zone (WMEZ) was established per A.R.S. Section 41-1522 to improve economically-depressed sections of municipalities and rural areas through the development of job creating land uses and the inducement of capital investment. Members of the WMEZ include the Cities/Towns of Avondale, Buckeye, El Mirage, Gila Bend, Glendale, Goodyear, Guadalupe, Peoria, Phoenix, Surprise, Tolleson, Wickenburg, Youngtown, each a municipal corporation, the Gila River Indian Community and Maricopa County.

Due to an administrative oversight, the Resolution was not included in the original approval of the Intergovernmental Agreement. The purpose of this agenda item is to adopt a Resolution supporting the enterprise zone renewal and approval of the application amendment required by the Arizona Department of Commerce in order to renew the enterprise zone. The Intergovernmental Agreement was originally approved by the Board of Supervisors on October 15, 2008, under C-20-09-026-3-00. (C-20-09-033-3-00)

Medical Examiner

35. IGA WITH MARICOPA COUNTY SPECIAL HEALTH CARE DISTRICT DBA MARICOPA INTEGRATED HEALTH SYSTEM (MIHS) FOR LABORATORY, EMPLOYEE HEALTH AND LAUNDRY SERVICES – APPROVED

Approve an Intergovernmental Agreement (IGA) between Maricopa County Special Health Care District d.b.a. Maricopa Integrated Health System (MIHS) and Maricopa County through the Office of Medical Examiner, in the not-to-exceed amount of \$30,000. The purpose of this Intergovernmental Agreement is to establish guidelines for the provision of services to OME by DISTRICT including, but not limited to, services provided by the Maricopa Medical Center ("MMC"), and for the payment by County to DISTRICT for such services. This Intergovernmental Agreement is effective from July 1, 2008 until June 30, 2009.

MIHS is currently providing three services to the Office of the Medical Examiner. Specific toxicology testing that is not completed "in-house", laundry service for the autopsy/exam linens and employee health services which includes pre-placement physicals, medical job fitness assessments, medical and preventive care and on-site TB testing. (C-29-09-003-3-00)

CHIEF FINANCIAL OFFICER

Finance

36. FUNDS TRANSFERS; WARRANTS – APPROVED

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

37. LICENSE AGREEMENT WITH THE SILVER SPOON CAFÉ, LLC FOR FOOD AND BEVERAGE STATION – APPROVED

Approve License Agreement No. P50122 with The Silver Spoon Café, LLC allowing the placement of a food and beverage station in the second floor area of the Maricopa County Department of Transportation Building located at 2901 W. Durango Street, Phoenix, Arizona. The term of the license shall be for one year. Licensee may have the option to renew the term of this license one time for a period of one year. The License shall be revocable and may be canceled by Licensor or Licensee upon giving a 30-day written notice of revocation. The Licensee shall pay a one-time license fee of \$10.00 as adequate consideration for entering into this agreement. Licensee agrees to install and maintain, at Licensee's sole cost and expense, all necessary trade fixtures pertaining to this business operation and shall also obtain all applicable permits and operating licenses as required. (C-18-09-031-L-00)

Materials Management

38. SOLICITATION SERIALS – APPROVED

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

a. 08087-S, LAW ENFORCEMENT PSYCHOLOGICAL EVALUATION SERVICES - MCSO

Recommendation for award of three year price agreement which provides law enforcement psychological evaluation services to/for MCSO for the purpose of pre-employment evaluations, fitness for duty evaluations and other psychological evaluations as determined appropriate by MCSO. 08087-S, Law Enforcement Psychological Evaluation Services - MCSO (\$1,405,000 estimate/three years with three one-year renewal options until November 30, 2011) (C-73-09-029-3-00)

- **Stephen L. Carson, Ph.D**
- **Glenn Clouse, Psy.D**
- **Michael Cofield, Ph.D**
- **Wayne R. General, Ph.D**
- **M&M Public Safety Psychology Services, PLLC**

b. 08103-C, TRAFFIC SIGN POSTS

Price agreement for the purchase of traffic sign posts. 08103-C, Traffic Sign Posts (\$360,000 estimate/three years with three one-year renewal options until November 30, 2011) (C-73-09-028-3-00)

- **Zumar Industries**

c. 04144-S, COURT REPORTING & TRANSCRIPTION SERVICES

Approve the Renewal 04144-S, Court Reporting & Transcription Services (\$551,600 estimate/two years until December 31, 2010). Recommendation for two year renewal of contract which provides court reporting and transcription services. (C-73-09-031-3-00)

- **A/V Tronics Inc.**
- **Capitol Captioning LLC**
- **CopperState Reporting Service**
- **Griffin & Associates**
- **Quick Response Transcription Services**

d. 08060-ITN, HOSTING AND SUPPORT SERVICES CGI/AMS ADVANTAGE GENERAL LEDGER SYSTEM

Approve the award 08060-ITN, Hosting And Support Services CGI/AMS Advantage General Ledger System (\$4,000,000 estimate/five years with five one-year renewal options until November 30, 2013). Contract for hosting services for the County's general ledger software (CGI/AMS ADVANTAGE). The hosting company (CGI) will support all aspects of the County's System and has a data center located in the Phoenix metropolitan area. The components of these services include hardware, operating system, utilities, other 3rd party support packages, management tools, databases, applications, and reporting/query tools. The new \$4,000,000 contract value is \$2,000,000 more than previous contract; however this contract includes the software maintenance which was under a separate contract for \$700,000 and product support which not included in previous contract. (C-73-09-030-3-00)

- **CGI**

e. 05055-RFP, INMATE EMPLOYMENT SKILLS BUILDING EDUCATIONAL SERVICES/WOW – MCSO

Recommendation to increase contract value from \$900,000 to \$1,040,000. 05055-RFP, Inmate Employment Skills Building Educational Services/WOW – MCSO (\$140,000). This \$140,000 increase is requested by MCSO and is a result of increased inmate population and mandated inmate service requirements. This contract was initially approved by the Materials Management Director on July 21, 2005, in the amount of \$67,000 and was subsequently increased by the Board by \$833,000 on November 16, 2005, to \$900,000. This increased has been reviewed/pre-approved by OMB. Contract expiration is August 31, 2009. (C-73-09-032-3-00)

- **Concepts For Change, Inc**
- **Sage Counseling, Inc**

f. 08073-S, AUTO BODY REPAIR

Award price agreement for a multi vendor contract for vehicle collision and accident repairs to County owned vehicles. 08073-S, Auto Body Repair - (\$2,600,000 estimate/three years with three one-year renewal option until

November 30, 2011). (C-73-09-033-3-00)

- **Ace Auto Collision & Paint Services Inc.**
- **Auto Safety House**
- **Custom Auto Body**
- **Five Star Ford**
- **Freightliner, Sterling, Western Star of Arizona**
- **Miracle Auto Painting & Body Repair**

g. 08052-C, HVAC FILTERS

Approve the award of a three year price agreement for heating, ventilation and air conditioning filters for use in County facilities. 08052-C, HVAC Filters (\$350,000 estimate/three years with three one-year renewal option until November 30, 2011) (C-73-09-027-3-00)

- **Air Filter Products**
- **Southland Filtration**

Parks and Recreation

39. APS UTILITY EASEMENT - ESTRELLA MOUNTAIN REGIONAL PARK – APPROVED

Approve and authorize the granting of a Utility Easement, without a public auction pursuant to A.R.S. 11-251 (9), to Arizona Public Services Company (APS), its successors and assigns, in consideration of \$1.00, to construct, operate and maintain overhead and underground electric lines and appurtenant facilities to provide electrical service at Estrella Mountain Regional Park, and authorize the Chairman to execute the necessary Utility Easement. This item had approval of the Parks Advisory Commission on October 21, 2008 and was endorsed by the Facilities Review Committee. **THIS ITEM REQUIRES THE UNANIMOUS CONSENT OF THE BOARD.** (C-30-09-012-8-00)

40. ARIZONA STATE LAND DEPARTMENT ESTIMATED ADVERTISING FOR A PUBLIC AUCTION AND BID ON AND PURCHASE AN ASLD PERPETUAL RIGHT OF WAY EASEMENT – APPROVED

Authorize the Maricopa County Parks & Recreation Department to spend \$1,250 for the Arizona State Land Department (ASLD) estimated advertising for public auction, and authorize the Maricopa County Parks & Recreation Department representative to be present to bid on and purchase on behalf of the County an ASLD perpetual right of way easement. The area over which the easement is sought is known as Segment 14 of the Maricopa Trail, which was application amended alignment, ASLD#16-108106, and is located within existing State Land issued right-of-way number 14-102063. Alignment ASLD#16-108106 is approximately a nine mile corridor (10.51 acres) to be used for the purpose of building a non-vehicular public trail. The estimated value of the easement has been established at a combined appraisal value of \$330,888. In addition, ASLD imposes a 3% selling and administrative fee of \$9,927. The appraisal value plus the administrative fee result in a combined bid total of \$340,815. The Parks and Recreation Department seeks authority to bid up to an expenditure total not-to-exceed \$342,065. Funding for this expenditure is budgeted in the FY2008-09 General Fund County Improvement Fund (445). (C-30-03-028-B-02)

ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES

Air Quality Department

41. EXECUTIVE COMPENSATION PACKAGE – APPROVED

Approve an Executive Compensation Package (ECP) for Lawrence Odle, an unclassified Director in the Air Quality Department, authorizing a deposit of 80 hours of PTO and 80 hours of FML to his leave balance(s) and awarding a Schedule #3 Leave Accrual Rate effective October 22, 2008. (C-85-09-007-6-00)

42. AMENDMENT TO AGREEMENT WITH MARICOPA ASSOCIATION OF GOVERNMENTS FOR TRIP REDUCTION PROGRAM – APPROVED

Approve Amendment No. 4 to Maricopa Association of Governments (MAG) Agreement 262 as Attachment Two between MAG and Maricopa County through the Air Quality Department to provide funding for the Maricopa County Trip Reduction Program (TRP) in the not-to-exceed amount of \$910,000. Amendment No. 4 is funded by a grant from MAG. The purpose of this amendment is to approve a revised scope of service and budget and to extend the contract period. This amendment is effective from October 1, 2008 to September 30, 2009. All other terms and conditions of the contract remain in full force and effect. (C-85-07-008-3-02)

43. IGA WITH RPTA FOR TRAVEL REDUCTION PROGRAM – APPROVED

Approve an Intergovernmental Agreement between Regional Public Transport Authority (RPTA) and Maricopa County through the Air Quality Department, in the not-to-exceed amount of \$400,000. This Intergovernmental Agreement is funded by a grant from Maricopa Association of Governments, (C-85-06-028-3-02). The purpose of this Intergovernmental Agreement is to provide for professional services to the Maricopa County Regional Travel Reduction Program (TRP). This Intergovernmental Agreement is effective from October 1, 2008 until September 30, 2009. (C-85-09-006-3-00)

44. CONTRACT EXTENSION WITH KACHINA AUTOMOTIVE FOR THE VVR&R PROGRAM – APPROVED

Approve Amendment No. 3 to a Contract between Kachina Automotive Equipment, Inc. and Maricopa County through the Air Quality Department to extend the end date of the contract from December 31, 2008 to June 30, 2009, and to authorize an additional \$287,500 for a new FY 2008-09 not-to-exceed amount of \$575,000. This extension will continue the Voluntary Vehicle Repair and Retrofit Program (VVR&R) until a new contract can be put into place. This amendment is effective from January 1, 2009 to June 30, 2009. All other terms and conditions of the Contract remain in full force and effect. (C-85-07-001-1-03)

Emergency Management

45. TRANSFER EXPENDITURE AUTHORITY FOR SIREN REMOVAL – APPROVED

Pursuant to A.R.S. 42-17106(b), transfer expenditure authority of \$28,800 from the Non-Departmental (470) Non-Departmental Grant Fund (249) Non-Recurring (0001) "Potential Fee Increases" lines to the Emergency Management (150) Emergency Management Grant Fund (215) Non-Recurring (0001). Also decrease the revenue appropriation in Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) Potential Expenditures from Fund Balance line by \$28,800. This adjustment will allow the Department of Emergency Management to utilize fund balance to pay for the removal of dilapidated civil defenses sirens and ancillary equipment. The adjustment will result in a countywide net impact of zero. (C-15-09-011-G-00)

ASSISTANT COUNTY MANAGER - PUBLIC WORKS

Facilities Management

46. AMENDMENT TO 5-YR CIP PROGRAM - CARRY-OVER TO ADD MORRISTOWN, CAVE CREEK & HASSAYAMPA TRANSFER STATIONS – APPROVED

Pursuant to A.R.S. 42-17106(B), approve the following amendments to the FY 2008-09 Public Works Five-Year Capital Improvement Program in the Non-Departmental (470) Intergovernmental Capital Projects Fund (422) Fund:

- a) Add a new project entitled "Hassayampa Transfer Station (HTTS)."
- b) Add a new project entitled "Morristown Transfer Station (MTTS)."
- c) Add a new project entitled "Cave Creek Transfer Station (CCTS)."
- d) **Decrease** FY 2008-09 project and project budget for the Rainbow Valley Transfer Station (RVTS) project by \$720,000 from \$975,000 to \$255,000.
- e) **Decrease** FY 2008-09 project and project budget for the New River Transfer Station (NRTS) project by \$295,000 from \$975,000 to \$680,000.
- f) **Increase** FY 2008-09 project and project budget for the Morristown Transfer Station (MTTS) project by \$10,000 from \$0 to \$10,000.
- g) **Increase** FY 2008-09 project and project budget for the Hassayampa Transfer Station (HTTS) project by \$10,000 from \$0 to \$10,000.
- h) **Increase** FY 2008-09 project and project budget for the Cave Creek Transfer Station (CCTS) project by \$1,250,000 from \$0 to \$1,250,000. Pursuant to ARS 42-17106(B), approve the following:

1. Transfer Expenditure authority from Public Works (910) Waste Tire Fund (290) Recurring (0000) to Public Works (910) Solid Waste Fund (580) Recurring (0000) in the amount of \$255,000.

2. A Fund Transfer from Public Works (910) Solid Waste Tire Fund (580) Recurring (0000) to Fund Intergovernmental Capital Projects Fund (422) Cave Creek Transfer Station (CCTS) in the amount of \$255,000. The requested action is necessary because the projects were scheduled to be completed by June 30, 2008, and were not, so funding for the Morristown and Hassayampa transfer stations needs to be carried over into FY 2008-09. The Cave Creek Transfer Station was inadvertently left out of the FY 2008-09 budget.

Approval of this item will adjust the FY 2008-09 Intergovernmental Capital Projects Fund budget by reallocating expenditure authority from the Rainbow Valley Transfer Station to the Morristown and Hassayampa Transfer Stations and increase Fund (422) in the amount of \$255,000 in order to complete the Cave Creek Transfer Station in FY 2008-09.
(C-70-09-010-2-00)

47. REMOVAL FROM 5YR CIP AND CANCELLATION OF PROCUREMENT FOR ARCHITECTURAL SERVICES RE: REGIONAL DEVELOPMENT SERVICES AGENCY OFFICE BLDG – APPROVED

Approve cancellation of the Regional Development Services Agency Office Building (Project No. 3324-09-414). Also, authorize removal of the following to the FY2008-09 Five-Year Capital Improvement Program: (1) **Decrease** the Financing Series 2009 Fund (442) Revenue and Expenditure budget in the amount of \$75,000,000 to remove the project "Maricopa County Regional Development Services Agency Office Building" (Function Class - RDSA). The yearly expense was estimated to be: (Year 1 \$2,000,000, Year 2 \$30,000,000, Year 3 \$43,000,000). (2) Approve the cancellation of the procurement for architectural services for the project. The facility would have been located in District 5.

This project and its funding were approved by the Board of Supervisors on September 17, 2008. Due to a decrease in revenues of the departments designated as occupants for the facility, it is now reasonable and prudent to cancel the project at this time. This item was heard in Executive Session on November 6, 2008.
(C-70-09-011-5-01)

48. CANCELLATION OF PROCUREMENT FOR CONSTRUCTION MANAGER AT RISK FOR REGIONAL DEVELOPMENT SERVICES AGENCY OFFICE BUILDING – APPROVED

Approve cancellation of the procurement for the Construction Manager at Risk for the Regional Development Services Agency Office Building (Project No. 3324-09-414). This project would have been located in District 5.

This project and its funding were approved by the Board of Supervisors on September 17, 2008. Due to a decrease in revenues of the departments designated as occupants for the facility, it is now reasonable and prudent to cancel the project at this time. This item was heard in Executive Session on November 6, 2008.
(C-70-09-012-5-01)

Public Works

49. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS – APPROVED

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. The list is on file in the Clerk of the Board's Office. (C-06-09-193-7-00)

50. ADMINISTRATIVE CORRECTION FOR AWARDED MCDOT CONTRACT FOR ELLSWORTH ROAD: SUPERSTITION DRIVE TO GUADALUPE ROAD – APPROVED

Approve an Administrative Correction to the action taken on August 6, 2008 (C-91-08-003-5) to approve the solicitation of bids for Ellsworth Road: Germann Road to Baseline Road, MCDOT Project County Arterials (ARTS), Job No. T068; and approve the award to the lowest responsive bidder. This action corrects the name of the project for Job No. T068, Contract 2008-025, to The Implementation of Erosion Control Measures for Ellsworth Road: Superstition Drive to Guadalupe Road. (C-91-08-003-5-01)

51. IGA WITH SURPRISE FOR CONSTRUCTION OF INTELLIGENT TRANSPORTATION SYSTEM (ITS) FOR BELL ROAD FROM LOOP 303 TO GRAND AVENUE – APPROVED

Approve the Intergovernmental Agreement (IGA) between Maricopa County (County), through the Maricopa Department of Transportation, (MCDOT) and the City of Surprise (Surprise) for the construction of an Intelligent Transportation System (ITS) for Bell Road from Loop 303 to Grand Avenue (Project). The estimated total cost of this Project is \$918,900 with federal funds of \$866,523 (94.3%) and a local match of \$52,377 (5.7%). Funds are available in the Public Works (910) Transportation Capital Fund (234) Traffic Improvement Project (TIMP), Job No. T154. This IGA addresses the construction of ITS improvements only and shall become effective as of the date it is approved by the Board of Supervisors and shall be filed with the Maricopa County Recorder. Supervisory District No. 4 (C-91-09-061-M-00)

52. ANNEXATION (RIGHT OF WAY) BY THE TOWN OF BUCKEYE – APPROVED

Pursuant to A.R.S. §9-471(N), approve the annexation by the Town of Buckeye of County right-of-way within: Tuthill Road and Roosevelt Street, in accordance with Ordinance No. 62-08. (Supervisory District No. 4) (C-91-09-060-M-00)

53. ANNEXATION (RIGHT OF WAY) BY THE TOWN OF BUCKEYE – APPROVED

Pursuant to A.R.S. § 9-471(N), approve the annexation by the Town of Buckeye of County right-of-way within: A portion of Durango Street and 247th Avenue, in accordance with Ordinance No. 63-08. (Supervisory District 4) (C-91-09-068-M-00)

54. ANNEXATION (RIGHT OF WAY) BY THE TOWN OF BUCKEYE – APPROVED

Pursuant to A.R.S. §9-471(N), approve the annexation by the Town of Buckeye of County right-of-way within: Van Buren Street and Dean Road, in accordance with Ordinance No. 64-08. (Supervisory District No. 4) (C-91-09-067-M-00)

55. ANNEXATION (RIGHT OF WAY) BY THE CITY OF EL MIRAGE – APPROVED

Pursuant to A.R.S. §9-471(N), approve the annexation by the City of El Mirage of County right-of-way within: Dysart Road and Olive Avenue, Dysart Road from Peoria Avenue to Varney Street and 129th Avenue from Peoria Avenue to Varney Street, in accordance with Ordinance No. 008-09-15. (Supervisory District No. 4) (C-91-09-066-M-00)

56. RESCIND EXISTING TRAFFIC CONTROL – APPROVED

Approve and rescind existing traffic control (Designated School Crossing) on unincorporated right-of-way at the following location: A DESIGNATED SCHOOL CROSSING ON 107th Avenue 10 feet north of Cocopah Street for Underdown Middle School. Supervisory District No. 5 (C-91-09-072-M-00)

57. TRADE-IN OF A USED CATERPILLAR MOTOR GRADER – APPROVED

Approve the trade-in of one used Caterpillar, 140H Motor Grader, County Asset # M0300034 (2003 ser. APM00511), on the purchase of one new Caterpillar 140M Motor Grader from Empire Machinery on IGA #07147. The Intergovernmental Agreement (IGA) was established by Materials Management Department with Coconino County on September 18, 2007 for the purpose of purchasing motor graders for Maricopa County Department of Transportation (MCDOT). The purchase price of the new 140M Motor Grader is \$276,872.27. With the trade-in credit / residual value of \$115,000, the net cost to the County is \$161,872.27.

Approval to trade-in the Caterpillar 140H Motor Grader #34 that will effectively offset the cost

of the new 140M Caterpillar Motor Grader. Materials Management Department established a cooperative purchase IGA with Coconino County for the purpose of purchasing the new Motor Grader. The Life-Cycle for the one new motor grader will be three years or 7000 hours and will be used by MCDOT during that time for the construction and roadway maintenance operations. The total price for the new Motor Grader, less the trade-in, is \$161,827.27. This purchase is budgeted in the FY2008-09 budget. Supervisory District No(s): All (C-91-09-059-M-00)

58. GRANT FROM MARICOPA ASSOCIATION OF GOVERNMENTS FOR TWO STREET SWEEPERS AND ADDITION TO FLEET – APPROVED

Authorize the acceptance of grant funds from the Maricopa Association of Governments FY 2008 Congestion Mitigation and Air Quality Improvement (CMAQ) in the amount of \$330,050. Funding is for the purchase of two PM-10 certified street sweepers in the amount of \$175,000 each. Maricopa County's Department of Transportation has agreed to provide a 5.7 percent cash match (\$9,975) for each street sweeper. Approve the revenue and expenditure appropriation increase in the amount of \$330,050 in FY 2008-09 to the Public Works (910) Transportation Grant Fund (223) Non-Recurring (0001). Approve the addition of two street sweepers to the County fleet for the Transportation Department. The street sweepers will be used by Transportation Operations to sweep and maintain County roadways for the improvement of air quality and the overall safety of the traveling public. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

On June 25, 2008 the MAG Regional Council approved an additional \$1,959,471 in FY 2008 Congestion Mitigation and Air Quality Improvement (CMAQ) funding for twelve remaining projects from the prioritized list of proposed PM -10 certified street sweeper projects for FY 2008 CMAQ funding. On September 10, 2008 Maricopa County's Department of Transportation was informed that two PM-10 certified street sweeper projects proposed by Maricopa County had been authorized for FY 2008 CMAQ funding in the amount of \$165,025 each. In each project proposal, Maricopa County must provide a 5.7 percent cash match. Thus for each of the two sweepers, the total estimated purchase price of the sweeper is \$175,000, to be paid with the \$165,025 in reimbursable federal-aid and \$9,975 in local (HURF) match funding. On September 10, 2008, MAG was notified by the Arizona Department of Transportation (ADOT) that the Federal FY 2008 Interim Year End Closeout street sweeper projects could proceed. The County will follow the approved guidelines for street sweeper eligibility and requirements for the procurement of the equipment plus follow the project record keeping and reimbursement procedures. MAG will distribute the CMAQ funding on a reimbursement basis. Following the submission of an itemized invoice to MAG, Maricopa County will be reimbursed for an amount not to exceed \$165,025 for each sweeper. The Department's indirect cost rate of 15.8% is not recoverable. These funds are to be expended on capital equipment only; therefore, indirect costs cannot be recovered. Supervisorial Districts 1, 2, 3, 4 & 5 (C-91-09-062-M-00)

59. SETTLEMENT OF CLAIM BY TITAN POWER INC. – APPROVED

Approve a settlement of the claim by Titan Power Inc. in the amount of \$9,899.62. This action will settle all claims between the parties for work authorized by a work order request to replace 60 Uninterruptible Power Supply (UPS) batteries in the Maricopa County Department of Transportation's Engine Room.

A request was made of Titan Power to replace 60 UPS batteries in the Department of Transportation's Engine Room. The company satisfactorily performed all services requested

on the work order request. Before the company performed this work, they were on the State of Arizona contract EPS070086A. However, due to the misunderstanding of the Procurement Code of Maricopa County, the work was requested of an Arizona State contract vendor rather than the Maricopa County contract vendor. All work has been performed satisfactorily and no known problems exist. The settlement amount of \$9,899.62 is the actual value of the services performed and completed. Supervisorial Districts 1, 2, 3, 4, and 5. This item was discussed in Executive Session on November 6, 2008. (C-91-09-063-M-00)

60. AMENDMENT TO IGA WITH ARIZONA STATE UNIVERSITY FOR PAVEMENT DESIGN RESEARCH – APPROVED

Approve the 2nd Amendment to the Agreement between Maricopa County and Arizona State University to provide pavement design research towards the implementation of the Mechanistic-Empirical Pavement Design Guide. The County will participate in funding the research up to \$50,000 per County fiscal year from Operating Funds, and this is the final year that the original agreement can be renewed. The payment schedule is established that MCDOT will pay 50% (\$25,000) at the beginning of the assignment, 25% (\$12,500) when 75% of the work is completed, and the final 25% (\$12,500) at the end of the year.

The Maricopa County Department of Transportation and ASU wish to use their resources to perform pavement design research towards the implementation of the new Mechanistic-Empirical Pavement Design Guide (MEPDG) in the County roadway design practice. The MEPDG was developed under the National Cooperative Highway Research Program (NCHRP) and currently is being reviewed by the American Association of State Highway and Transportation Officials (AASHTO), NCHRP, and the Departments of Transportation (DOTs) around the Country. The current AASHTO pavement design guide dated 1993, is the base for the MCDOT Roadway Design Manual, which will be superseded by the MEPDG in the near future. This research project will provide the required parameters that represent the County specific conditions. Since ASU has been taking the lead in developing the flexible pavement portion of the MEPDG, ASU would be in the best position to assist the County in the implementation process. ASU will perform research according to the Research Work Plan submitted by ASU and the County will receive the final reports that include the results and recommendations. Supervisorial District 1,2, 3, 4, & 5 (C-64-07-161-2-02)

61. NEW TRAFFIC CONTROLS – APPROVED

Approve the new traffic controls on unincorporated right-of-way at the following locations:

- a. A NO STOPPING, STANDING, PARKING ANYTIME ZONE on 67th Avenue from Vineyard Road to Southern Avenue (East Side Only). Supervisory District No. 5 (C-91-09-077-M-00)
- b. A NO STOPPING, STANDING, PARKING ANYTIME ZONE on 129th Avenue from Ocotillo Road to Fleetwood Lane (West Side Only). Supervisory District No. 4 (C-91-09-073-M-00)
- c. A NO PARKING 7:30 AM TO 4:00 PM MONDAY THRU FRIDAY SCHOOL DAYS ONLY on Ericson Lane from Memorial Drive to Keller Drive (West Side Only).

A NO PARKING 7:30 AM TO 4:00 PM MONDAY THRU FRIDAY SCHOOL DAYS ONLY on Ericson Lane from Memorial Drive to Steinbeck Drive (East Side Only).

A NO PARKING 7:30 AM TO 4:00 PM MONDAY THRU FRIDAY SCHOOL DAYS

ONLY on Keller Drive from Ericson Lane to Hudson Trail (North Side Only).

A NO PARKING 7:30 AM TO 4:00 PM MONDAY THRU FRIDAY SCHOOL DAYS
ONLY on Hudson Trail from Memorial Drive to Keller Drive (East Side Only).
Supervisory District No. 3. (C-91-09-074-M-00)

- d. A One Way Stop on Pineaire Drive at 99th Drive for Eastbound Traffic. Supervisory District No. 4
(C-91-09-075-M-00)
- e. All Traffic to stop before entering or crossing a THROUGH STREET within the prescribed limits of: Elliot Road from 100 feet east of 383rd Avenue to 100 feet west of 435th Avenue. Supervisory District No. 4
(C-91-09-071-M-00)

62. TRAFFIC CONTROL CHANGES – APPROVED

Approve a change in traffic controls on unincorporated right-of-way at the following locations:

- a. A FOUR WAY STOP (from a Two-Way north/south Stop) at Yuma Road and Airport Road (This partially rescinds the Through Street Resolution on Yuma Road dated January 7, 1985). Supervisory District No. 4 (C-91-09-076-M-00)
- b. A 35 MPH SPEED LIMIT ZONE (from a 40 MPH SPEED LIMIT ZONE) on Olive Avenue from 3.85 miles West of Cotton Lane to 3.75 miles West of Cotton Lane (This rescinds the 40 MPH speed limit zone dated July 6, 1988).

A 40 MPH SPEED LIMIT ZONE (from a 50 MPH SPEED LIMIT ZONE) on Olive Avenue from 3.75 miles West of Cotton Lane to 3.50 miles West of Cotton Lane (This partially rescinds the 50 MPH speed limit zone dated March 18, 1975).

A 45 MPH SPEED LIMIT ZONE (from a 50 MPH SPEED LIMIT ZONE) on Olive Avenue from Perryville Road to El Mirage Road (This partially rescinds the 50 MPH speed limit zones dated March 18, 1975 and August 6, 1973). Supervisory District No. 4 (C-91-09-070-M-00)

BOARD OF SUPERVISORS

Clerk of the Board

63. APPOINTMENT TO THE INDUSTRIAL DEVELOPMENT AUTHORITY BOARD OF DIRECTORS – APPROVED

Accept the resignation of David Yniquez and approve the appointment of David Adame to the Industrial Development Authority Board of Directors as nominated by Supervisorial District 5. Mr. Adame will fill the unexpired term effective as of the date of Board approval through December 17, 2009. (C-06-09-189-9-00)

SETTING OF HEARINGS

~All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted~

Planning and Development

64. ZONING CASES – APPROVED

Schedule Planning and Development public hearings on zoning cases and other matters for the December 3, 2008 meeting (list on file with the Clerk of the Board). (C-44-09-050-M-00)

Public Works

65. ROAD FILE NO. 5804 – APPROVED

Set a public hearing to declare the following roads into the county highway system for 9:00 am, Wednesday, December 17, 2008.

Adopt a Resolution setting hearing on Road File No. 5804 to Open and Declare the following described alignments into the County Transportation System. General Vicinity: East of North Tuthill Road and South of West Indian School Road. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4 (C-91-09-064-M-00)

CONSENT AGENDA

Clerk of the Board

66. ASRS CLAIMS – APPROVED

Pursuant to A.R.S. §38-711 et., authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. Amounts may be recalculated employer payments to show accrued interest payments. Claims presented are on file in the Clerk of the Board's Office. (C-06-09-183-7-00)

67. CHECK ENFORCEMENT FUND QUARTERLY REPORT – APPROVED

In accordance with A.R.S. §13-1811(F) County Bad Check Trust Fund, receive the quarterly financial report from the County Attorney of all revenues and expenditures from the Check Enforcement Fund for the periods of June 2008 through September 2008. Report is on file in the Clerk of the Board's Office. (C-06-09-184-7-00)

68. DUPLICATE WARRANTS – APPROVED

Pursuant to A.R.S §11-632, approve and ratify the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. Necessary affidavits have been filed with the Board. Affidavits presented are on file in the Clerk of the Board's Office. (C-06-09-185-7-00)

69. MARKET RANGES – APPROVED

Pursuant to A.R.S §§11-251.38 and 251.51, approve the addition and/or replacement of Market Ranges to the authorized comprehensive listing of employee compensation Market

Ranges previously approved by the Board of Supervisors. List of additional and/or replacement market ranges are on file in the Clerk of the Board's office. (C-06-09-182-7-00)

70. SECURED TAX ROLL CORRECTIONS – APPROVED

Pursuant to A.R.S. §§42-15155, 16002, 16215, 16258, and 19118, approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions on file in the Clerk of the Board's Office. (C-06-09-186-7-00)

71. STALE DATED WARRANTS – APPROVED

Pursuant to A.R.S. §11-644 the Board of Supervisors finds that claims presented, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. List of claims is on file in the Clerk of the Board's Office. (C-06-09-187-7-00)

72. TAX ABATEMENTS – APPROVED

Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. List is on file in the Clerk of the Board's Office. (C-06-09-188-7-00)

73. SETTLEMENT OF PROPERTY TAX CASES – APPROVED

Pursuant to A.R.S. §§42-16201 through 16215, approve the settlement of tax cases dated November 18, 2008. List is on file in the Clerk of the Board's Office. (C-06-09-190-7-00)

IMPROVEMENT DISTRICT AGENDA

I-1. CALLABLE FEATURE OF IMPROVEMENT DISTRICT BONDS – APPROVED

Adopt an action to conform to the callable feature of the bonds in the Improvement Districts listed below. This action is necessary due to prepayment of assessments. Queen Creek Domestic Water (District 1) 7th Street North (District 3)

The bonds or portions thereof in the improvement districts listed above are callable due to prepayment of assessments. A.R.S. 48-985 and A.R.S. 48-986 (C-91-09-065-7-00)

FLOOD CONTROL DISTRICT AGENDA

F-1. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS – APPROVED

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. The list is on file in the Clerk of the Board's Office. (C-06-09-192-7-00)

F-2. RESOLUTION FOR UPPER NEW RIVER AREA DRAINAGE MASTER PLAN – APPROVED

Adopt Resolution FCD 2008R008, Upper New River Area Drainage Master Plan (ADMP). This Resolution authorizes and directs the Chief Engineer and General Manager of the Flood Control District of Maricopa County (District) to negotiate and prepare Intergovernmental Agreements (IGA) for rights-of-way acquisition, design, construction, construction management, and operation and maintenance; to obtain the necessary rights-of-entry, property and/or easements, design engineering services for the recommended alternative; and to include funding in the current and future Five Year Capital Improvement Programs.

The District has completed the ADMP study. This study identified flooding problems in the northern part of Maricopa County and recommended drainage alternatives to address these flooding problems. The project area boundary encompasses approximately 97 square miles and includes the City of Peoria, City of Phoenix, and unincorporated areas of Maricopa County. The project boundaries are approximately the Tonto National Forest to the north, the New River Dam to the south, the watershed boundary between Skunk Creek and the New River to the east, and the watershed boundary between the New River and the Agua Fria to the west. The District initiated the Upper New River ADMP study in August 2006. The first phase of the study was to obtain flooding data and conduct hydrologic analyses to identify the drainage problems in the study area. This phase of the study included public meetings and close stakeholder coordination. Once the drainage problems were identified, in the second phase of the study, different alternatives were analyzed and presented to the public for input. The Arizona State Land Department, City of Peoria, and the City of Phoenix have been involved throughout the study. After combining public input and comments from the agencies, a recommended alternative was chosen and subsequently presented to the public in June 2008. The recommended alternative has structural features as well as non-structural features, such as participation in the voluntary flood prone property assistance program and floodplain delineations. This item impacts Supervisory Districts 3 and 4. (C-69-09-025-6-00)

F-3. RESOLUTION AMENDMENT FOR WHITE TANKS FLOOD RETARDING STRUCTURE #3 OUTLET CHANNEL PROJECT – APPROVED

Adopt Resolution Amendment No.1 - FCD 2004R011A, White Tanks Flood Retarding Structure #3 Outlet Channel Project. This Amendment will authorize and direct the Chief Engineer and General Manager of the District to negotiate and prepare Intergovernmental Agreements (IGAs) with the Town of Buckeye and others as appropriate, for cost sharing, design, right-of-way acquisition, utility relocations, construction, construction management, and operation and maintenance, of the White Tanks Flood Retarding Structure No. 3 Outlet Channel Project; to contract for engineering and construction services; and to include funding in the District Capital Improvement Program, subject to the ratifications and approval of this Board.

The District developed the Loop 303 Corridor/White Tanks Area Drainage Master Plan (ADMP) to identify and mitigate existing and future drainage and flooding problems in the western metropolitan area bounded by the Agua Fria River, McMicken Dam, the Salt/Gila Rivers, and the White Tank Mountains. The ADMP recommended plan includes a channel and basin adjacent to the Jackrabbit Road alignment, from White Tanks Flood Retarding Structure No. 3 to White Tanks Flood Retarding Structure No. 4. The Board of Directors of the District approved Resolution FCD 2004R011 on February 16, 2005 (C-69-05-076-6-00), authorizing and directing the Chief Engineer and General Manager of the District to acquire land associated with the project. This Amendment will authorize and direct the Chief Engineer and General Manager of the District to negotiate and prepare

Intergovernmental Agreements (IGAs) with the Town of Buckeye and others as appropriate, for cost sharing, design, right-of-way acquisition, utility relocations, construction, construction management, and operation and maintenance of the White Tanks Flood Retarding Structure No. 3 Outlet Channel Project; to contract for engineering and construction services; and to include funding in the District Capital Improvement Program, subject to the ratifications and approval of this Board. This agenda item impacts Supervisory District 4. (C-69-05-076-6-01)

F-4. SELL EXCESS PARCELS H-2642-EX – APPROVED

Authorize the Flood Control District of Maricopa County (District) to sell excess parcels (as listed below) beginning in FY 2008-2009. The District will utilize its Disposition Program, continuing to evaluate and analyze the best potential of leasing or sales of all real property based on prevailing market conditions. The sale price will be market value, to be determined by a certified licensed appraiser, either at the start point of an oral auction, or, in the event of a sale to a municipality, at market value without an auction. If an auction takes place, District staff will sell the parcel in compliance with ARS 9-402, which mandates that an invitation for bid be published for the sale of all real property. FCD Parcel: H-2642-EX or portion of 212-19-001A

Parcel H-2642-EX is a remainder parcel of a larger property that was acquired for the Cave Buttes Dam project. The Hydrology/Hydraulics Branch of the Engineering Division and the Structures Assessment Branch of the Planning & Project Management Division have reviewed the issues associated with the disposition of this parcel and have determined that it would not impact the functionality of the Cave Buttes Dam structure. The District's Excess Land Committee recommends that the Board of Directors declare this property as excess to the needs of the District.

The property is located approximately ¾ mile east of 7th Street, north of the Central Arizona Project (CAP) Canal, in a county island in North Phoenix. It is hilly land, just over 14 acres in size and is adjacent to State Land and a private aggregate company. The District has been approached by a private aggregate company about purchasing the subject property. This agenda item impacts Supervisor District 3 (C-69-09-027-8-00)

F-5. SELL EXCESS PARCEL – APPROVED

Authorize the Flood Control District (District) to sell excess parcels (as listed below) beginning in FY 2008-09. The District will utilize its Disposition Program, continuing to evaluate and analyze the best potential of leasing or sales of all real property based on prevailing market conditions. The sale price will be fair market value, to be determined by a certified licensed appraiser, either at the start point of an oral auction, or, in the event of a sale to a municipality, at fair market value without an auction. If an auction takes place, District staff will sell the parcel in compliance with ARS 9-402, which mandates that an invitation for bid be published for the sale of all real property. A portion of District Parcel: A004.005.015 APN#500-03-004V

The City of Goodyear has requested the purchase of 12.3933 acres +/- of District property to build a park and ride facility. The property is a portion of vacant land acquired in the Bullard Wash Project in 2001. The parcel of land is located at the Northwest corner of Dysart Road and I-10, south of Cornerstone Boulevard. This agenda item impacts Supervisory District 5 (C-69-09-026-8-00)

F-6. RESOLUTION FOR METRO PHOENIX AREA DRAINAGE MASTER PLAN – APPROVED

Adopt Resolution FCD 2008R012, Metro Phoenix Area Drainage Master Plan (ADMP). The Resolution is for the adoption of the ADMP as the basis to mitigate storm water flooding within the Metro Phoenix watershed area. This Resolution will authorize the Chief Engineer and General Manager of the Flood Control District of Maricopa County (District) to negotiate and prepare Intergovernmental Agreements for rights-of-way acquisition, design, construction, construction management, and operation and maintenance; to obtain the necessary rights of entry, property and/or easements for the recommended alternative; to include funding in the current and future Five Year Capital Improvement Programs; and to advertise, select, negotiate and award contract(s) for engineering and construction services for implementation of the recommended alternative features, subject to the ratification and approval of the Board; and also recommends that the ADMP be adopted by the City of Phoenix and Maricopa County.

The City of Phoenix (City) requested in the FY 2004/2005 Capital Improvement Program (CIP) Prioritization Procedure that the District conduct a floodplain study for the Cave Creek floodplain, from south of the Grand Canal to the Salt River. The District in association with the City initiated the Metro Phoenix ADMP. This study identified flooding problems in the central part of Maricopa County, and recommended drainage alternatives to address these flooding problems. The City and the District will use these conceptual drainage plans to identify, define, and budget future drainage improvement projects. The Metro Phoenix ADMP study area covers approximately 90 square miles and is bounded on the west by I-17, on the north by the Arizona Canal Diversion Channel (ACDC), on the south by the Salt River, and on the east by Papago Buttes. The study team identified several floodprone areas within the study area. These areas were identified by analyzing the existing hydrologic conditions within the study area, reviewing citizen input from public meetings, and investigating drainage complaints filed with the City. The study team also re-delineated the Cave Creek floodplain between the Grand Canal and I-10. Agencies such as ADOT, SRP, and various City of Phoenix departments have participated in stakeholder meetings throughout the study. Public meetings have been held and input has been received from the public on the proposed alternatives. Alternatives were considered for four different floodprone areas within the study area. The alternatives include structural alternatives such as storm drains, as well as non-structural alternatives such as floodplain delineation. A recommended plan has been selected for the study area that includes storm drains and storage basins. This agenda item impacts Supervisory Districts 2, 3, and 5. (C-69-09-028-6-00)

F-7. SELL EXCESS PARCELS – APPROVED

Authorize the Flood Control District of Maricopa County (District) to sell excess parcels (as listed below) beginning in FY 2008-09. The District will utilize its Disposition Program, continuing to evaluate and analyze the best potential of leasing or sales of all real property based on prevailing market conditions. The sale price will be market value, to be determined by a certified licensed appraiser, either at the start point of an oral auction, or, in the event of a sale to a municipality, at market value without an auction. If an auction takes place, District staff will sell the parcel in compliance with ARS 9-402, which mandates that an invitation for bid be published for the sale of all real property. FCD Parcels: Portion of 9907.003 & 9907.004 – APN - Portion of 304-49-004-B & 304-49-007-G

The Town of Gilbert has requested the purchase of approximately 14.0 acres of District property for roadway purposes. The property is a vacant parcel of land located on Power Road between Williams Field Road and Pecos Road. It was acquired as part of the Rittenhouse Basin Project, and is no longer needed by the District for flood control purposes. This item impacts Supervisor District: 1 (C-69-09-019-8-00)

F-8. DECLARATION OF EXCESS PARCELS - 91ST AVENUE AND CIELO GRANDE & 87TH

AVENUE AND AVENIDA DEL SOL. – APPROVED

Authorize the Flood Control District of Maricopa County (District) to declare 15,548 square feet of Flood Control District property as excess land located at 87th Avenue and Avenida Del Sol AND 16,500 square feet of land located at 91st Avenue and Cielo Grande as excess land. These properties are no longer needed for any Flood Control District project.

The District purchased both of these land areas for a basin project. These lands are no longer needed for the project and the Maricopa County Department of Transportation (MCDOT) wishes to purchase these areas for a roadway project. The areas have been approved as excess by the Flood Control District's Excess Land Committee. The properties will be sold at market value to MCDOT. (C-69-09-020-8-00)

LIBRARY DISTRICT AGENDA

L-1. DONATIONS – APPROVED

In accordance with County Policy A2805, accept the monthly donation report received from Library District for October 2008. Donation reports are on file in the Clerk of the Board's Office. (C-06-09-181-7-00)

STADIUM DISTRICT AGENDA

S-1. SOLE SOURCE CONTRACT WITH MOYES, SELLERS, & SIMS LTD. – CONTINUED TO 12/3

Approve the Sole Source Contract between Moyes, Sellers, & Sims, Ltd. and the Maricopa County Stadium District, in the not-to-exceed amount of \$45,000 per year. The purpose of this Sole Source Contract is to provide legal services to the Maricopa County Stadium District regarding the agreements that govern the operation and management of Chase Field. This Sole Source Contract is effective from November 1, 2008 until October 31, 2012. Under the Maricopa County Stadium District Procurement Code the award of this sole source agreement (08079-SS) meets the criteria of the Maricopa County Materials Management Policy #MM0034-Sole Source Services or Commodities. The terms of this agreement are valid for four years after the Stadium District Board of Directors approval. (C-68-09-005-3-00)

S-2. AMENDMENT TO FY 2008-09 CAPITAL PLAN – APPROVED

Approve the following adjustments to the Maricopa County Stadium District (District) (680) Capital Plan, which result in a net change of \$0.1. Decrease the Long Term Project Reserve Fund (450) FY 2008-09 expenditure budget for the Chase Field Floor Resurfacing Project (BPFL) by \$1,000,000 from \$1,500,000 to \$500,000 .2. Create a new project entitled "Expansion of the Field Level Lounge and Restroom Renovation Project " (function code to be determined). 3. Increase the Long Term Project Reserve Fund (450) FY 2008-09 expenditure budget for the Expansion of the Field Level Lounge and Restroom Renovation Project (function code to be determined) by \$1,000,000 from \$0 to \$1,000,000. Approval of this agenda item will allow the Stadium District to expand the Legacy Lounge, renovate the First Sack Lounge, and update up to eight restrooms on the field level at Chase Field. The total estimate cost of the new project is not-to-exceed \$1,000,000. The renovation of the Legacy Lounge, First Sack Lounge, and restrooms project meets the requirements and will be accomplished through the use of a Job Order

Contract (JOC). (C-68-09-004-5-00)

CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS

74. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.) – **NO ACTION**
75. Supervisors'/County Manager's summary of current events. – **NO ACTION**